

Appl. No. 09/272,240
 Amdt. dated September 22, 2005
 Reply to Office Action of June 29, 2005

PATENT
 Docket: 990382

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested.

Upon entry of this amendment, claims 1-9 and 11-26, as amended, will remain in the application.

Claim Rejections – 35 USC § 102

Claims 1, 2, 6, 8-12, 14, 15, 17, and 21-23 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Overy et al. (U.S. Patent No. 6,122,530, hereinafter "Overy").

Applicant teaches a technique for enabling a user of a wireless handset to avoid navigating through multiple stages of a hierarchical menu structure in order to activate multiple features of the handset, for example, adjusting ringer volume, display/keypad backlighting, and access a wireless network as described at page 7, lines 22-28 of the Specification. Because these varied features must be accessed through different branches of the hierarchical menu structure, the handset must navigate up and down through the menu structure.

As amended, the independent claims recite that the programmed sequence of inputs cause the handset to navigate up and down through the menu structure to activate multiple features. Consider exemplary independent claim 1, which recites in relevant part:

"...entering a sequence of inputs using a user interface, said sequence causing the controller to navigate up and down through multiple stages of a hierarchical menu structure to activate a plurality of selected features in a predetermined sequence;

storing said sequence of inputs in a memory; and

defining a procedure for retrieving the sequence of inputs from the memory to navigate through the hierarchical menu structure in order to operate said selected features of the handset."

The Action states in Item 3, Page 5, that Overy discloses that a macro that operates a selected plurality of "features (i.e., plurality of numbers stored)." The ability to dial a number is not a "feature" of a mobile phone, nor does dialing multiple numbers constitute activating multiple features. This is clear from the Specification and from normal usage in the industry; Manufacturer's of mobile phones do not advertise the ability to dial a number on the keypad as a "feature" of their phones. Rather, "features" of a mobile phone include such things as adjustable

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ringer volume, display/keypad backlighting, the ability to access a wireless network, and speakerphone capability (see, e.g., page 7, lines 22-28).

Overy only describes activating one function with a soft key (col. 1, line 63 to col. 2, line 1), and the only function Overy describes is a speed-dialing function. Accordingly, Applicant submits that independent claims 1, 14, 17, 21, and 22, and their dependencies, are allowable.

Furthermore, Applicant disagrees with the reasoning in the Response to Arguments section of the Action. The Action refers to the embodiment in Overy in which the user is programming speed-dialing and has to go through different screen prompts to store the desired function for the programmable key as anticipating the claims. However, the claims also require that the handset follows the programmed sequence to navigate through the hierarchical menu when the macro is subsequently invoked (e.g., Claim 1, "...defining a procedure for retrieving the sequence of inputs from the memory to navigate through the hierarchical menu structure in order to operate said selected features of the handset"). The mobile handset described in Overy only goes through the screen prompts when the soft key is initially being programmed. The handset obviously does not go through the programming screen prompts when the soft key is subsequently pressed for the speed-dialing function.

Claim Rejections – 35 USC § 103

Claims 3-5, 7, 13, 16, 18, 20, and 24-26 were rejected over Overy in combination with one of Schmidt (U.S. Patent No. 6,360,110), Reber et al. (U.S. Patent No. 6,002,946 hereinafter "Reber"), and Frederiksen et al. (U.S. Patent No. 6,122,530, hereinafter "Frederiksen").

Schmidt was cited for disclosing speed dial numbers stored in a phone memory that can be dialed using voice commands. Reber was cited for disclosing the use of a stylus as a user interface. Frederiksen was cited for disclosing the user of an overridden key on a keypad. None of Overy, Schmidt, Reber, and Frederiksen teach or suggest, either alone or in combination, a technique for enabling a user of a wireless handset to avoid navigating up and down through multiple stages of a hierarchical menu structure in order to activate multiple features of the handset. Accordingly, Applicant submits that claims 3-5, 7, 13, 16, 18, 20, and 24-26 are allowable for the reasons given above and for their additional limitations.

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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-845-8450.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: 9/22/05

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